

ports; and the country, under its operation, emerged, with unexampled rapidity, from embarrassment to wealth, power and national greatness. For more than thirty years, the constitutional power of Congress to impose duties for the purpose of protection, remained unquestioned. Every successive Congress exercised the power without the suggestion of a doubt as to its constitutionality; and if the constitution itself had not been, as it is, perfectly clear on the subject, yet its usage, constant legislation, and universal acquiescence have fully established its possession by the general government. After all this, however, after a generation had passed away, and when the pursuits and business of the country had been built up, upon the basis of protection, it suited sectional and party purposes to object to it on the ground that it was unconstitutional; and, strange and unjust as may seem, a long established system of laws, designed to encourage and protect domestic industry, has been, for the present, at least, abandoned—not because the people of the country so willed it, but because a single southern state, denying the constitutionality of such legislation threatened violently to resist the execution of these laws. And this has been termed a compromise—a compromise which yields all that is demanded to violence and a breach of faith, and quietly consents to the ruin of a vast portion of the country for the exclusive benefit of a comparatively small section.

It is needless to say much of the causes which have thus led to a discontinuance of protection to domestic industry. A remedy for such an evil can be found only in the intelligence and spirit of that portion of our countrymen, to whose existence such protection will be found to be almost indispensable. I am not aware that you, as legislators of this state, can directly participate in applying a remedy; but you can at least urge upon our delegation in Congress your deep and abiding conviction of the strong necessity of shielding, by an adequate tariff, the domestic industry of the country, against competition with the pauper labor and solid capitalists of Europe.

If the constitution of the United States does not already authorize Congress to afford such necessary protection to domestic industry, language would fail to accomplish the object, and any amendment of the constitution would be fruitless. The states have surrendered to the General Government all power over the subject. When they gave to Congress exclusively the power to lay duties, they deprived themselves forever of all power to protect domestic industry. They surrendered this power to Congress, to the extent to which they possessed it themselves, and for the same purposes, for which they themselves might have used it, not only for the purpose of revenue, but of protecting the industry of our citizens against ruinous foreign competition. If Congress do not possess this power, then the states themselves possess it;—for the states have retained all power which they have not granted to the government of the Union. But nothing would be more absurd than a construction of the Constitution which would distribute the power of laying duties, giving it to Congress for purposes of revenue; and to the states for the purpose of protection.

It would be superfluous to attempt to show that a protective tariff is essential to the prosperity of this portion of the Union. The value of our agricultural products, and especially of wool, depends entirely upon the success of our manufacturers; and every farmer in Vermont is deeply interested in saving them from the ruin which, it is feared, is impending over them. We cannot raise wool for exportation, and if we abandon wool-growing, what are we to do with any other kind of produce which we may raise in its place? Wool will not be received in foreign countries which have supplies of their own, and who in our own country will consume it, when manufacturers shall have been destroyed and manufacturers, who have been its consumers, are compelled to cultivate the soil as their only mode of subsistence? What would our farms or our produce be worth, if these now engaged at the loom should come back to the plough? We could hardly give away the contents of our overburdened granaries. Manufacturers are yet in their infancy, and although during the short period of their existence, they have acquired strength with unexampled rapidity, they cannot be supposed to be stronger than those in older countries, where they have been much longer established, and where labor is cheaper. Yet in all countries, protection has always been found to be necessary to their existence; and no government on earth has ever been so blind to its own interests and those of its citizens, as to permit free trade with other countries, in articles of its own manufacture. There are two very sufficient and obvious reasons for this. One is, that a free or reciprocal trade among different nations never has been, and probably never can be, established. The other is, that to allow one country, whatever it might choose, to inundate another with its surplus manufactures, reduced in value at home by excessive production or bankruptcies, would be to ruin those engaged in the same business in the importing country. Steadiness is the safety and fluctuation the destruction of trade.

England, with a modesty peculiar to herself, proclaims and advocates the doctrines of free trade, for the benefit of other nations, while for her own benefit she practices upon a directly opposite system. In thus advocating free trade she is seconded by the Southern planter. But neither from the one nor the other can we consent to receive instruction. They have their interests, and we have ours. We have also the capacity to understand, and I trust, the resolution to maintain our rights. The attention of the people of the whole Union has been directed, by events which have occurred within the last few years, to certain amendments which are deemed essential in the Federal Constitution. The undue stimulus to ambition which is thought to be supplied by the prospect of the Presidential office being enjoyed by its occupant for a 2d term of four years, has created great alarm for the balance of the powers of the General Government. Experience has certainly proved, that if there is any danger of that balance being destroyed, it arises from the constant efforts of the Executive department to extend its patronage and power. That such efforts have frequently been made, to enable the President to secure a re-election, can hardly be doubted; and it is to be feared that they will continue to be too often made, so long as human nature remains unchanged.

A general complaint, arises from the same well grounded apprehension, exists as to the President's power of removal from office. The constitution directly gives him no such power, but he has been allowed to take it by implication. It is difficult to imagine how it should ever have been derived from that pro-

vision in the constitution which authorizes him to nominate "and by and with the advice and consent of the Senate, to appoint all" officers.

The President and Senate are jointly made the appointing power, and, in the absence of all other provisions on the subject, one would have supposed they must also be jointly the removing power. But the President claims to exercise it alone, and more frequently exercises it without any cause, except for the political opinions of those removed, than from an impartial regard to the faithful performance of the public service, which forms the sole argument in favor of its existence. For if the Constitution designed to give such a power to the President, it must have been for the purpose of enabling him to make removals required by the public good. But it has been perverted to a totally different purpose; that of enabling him to reward his supporters, strengthen his influence, and secure his own re-election.

Another similar subject, to which I would invite your particular attention, is the power of the President to veto bills which have been passed by both Houses of Congress. This is the only monarchic feature in our form of government, and it is difficult to understand how it should ever have been engrafted upon republican institutions. It was probably taken without much reflection as to its consequences, from the British constitution, which vests a similar power in the king; but only to protect his own prerogative from encroachment. Even for this purpose, however, it has not been exercised by him for more than two centuries. The early settlers of Vermont were too jealous of liberty to allow such a power any place in our constitution.

To form a just notion of the magnitude of the veto power, as it may be exercised by the President, we must keep constantly in view, that to prevent the passage of wholesome and necessary laws, is as bad as to pass those which are mischievous. The power to make all laws, might be as properly entrusted to the President, as the power to prevent all laws. The history of all legislation proves that a majority of two thirds can seldom be obtained on disputed questions; and to allow the President to resist the enactment of such laws as he pleases, unless passed by so large a majority, is, in effect, to repose in one man almost the entire power of legislation. But the President not only claims the right to exercise the veto power whenever he pleases, but to exercise it as he understands the constitution, without any regard to the decisions of the Supreme Court, or to the precedents established by his predecessors. He appears to be uncontrolled in its exercise, either by law or precedent, and to have nothing to consult but his own conscience, and nothing to regard but his own character for consistency.

If he is right, we may bid farewell to all stability in our institutions. Every four years the laws of the country may be changed, and its business embarrassed and destroyed by the constitutional scruples of a new President. The tariff, the bank—the distribution of the revenue from the public lands, internal improvements—all the great measures for the welfare of the country, will be constitutional or unconstitutional, just as the President may happen to be selected from one part of the Union or the other.

I submit to your consideration whether it is not expedient to propose an amendment of the constitution, which shall render the President ineligible to a re-election, and which shall modify his powers of removal from office, and of preventing the passage of laws by Congress.

For myself, I confess that I cannot doubt that, if such amendment should be adopted by the requisite number of states, it would greatly contribute to perpetuate our free government.

I have thus expressed my views on these important subjects, freely and frankly. They are, however, opinions on matters of opinion, on which we are all at liberty to differ. The discussions of a deliberative assembly are likely to lead to more just conclusions than the reflections of an individual, unaided by the reasonings of others; and I shall rather yield to your judgment, than wish you to be governed by mine.

Grateful for the manifestations of your confidence and regard, which has summoned me from the business of private life to a station so conspicuous as that to which I have just been called, I commend all your deliberations to that Omnipotent Power, whose purpose we have fondly hoped it might be, to build up institutions in this country, which would be favorable to human liberty and the improvement of mankind.

CHARLES PAINE.  
Montpelier, October 18, 1841.

#### COMPARATIVE TABLE, Showing the money value of the agricultural industry of the several States of the Union.

In the September No. of Hunt's Merchants' Magazine is a table, furnished for publication in that journal by the Secretary of State, showing the amount, in quantity, of the agricultural products of the Union. This table does not, however, include Kentucky, North Carolina, Michigan, Wisconsin, or Florida. Kentucky and Middle Florida had not sent in their returns, and the aggregate from the Southern States had not been made up.

With the aid of this table we have made an estimate of the money value of the several products, and have placed the result side by side with the population of the States respectively to show the yield per head, in round numbers.

State	Value	Population	Per head
Maine	\$34,720,000	510,793	\$69
New Hampshire	25,702,000	281,574	90
Vermont	49,237,400	261,948	148
Massachusetts	28,899,400	196,839	146
Rhode Island	3,745,000	737,799	38
Connecticut	22,945,000	309,948	34
New York	238,800,000	2,428,321	98
New Jersey	25,911,000	373,393	95
Pennsylvania	136,249,000	1,724,033	79
Delaware	6,627,000	79,093	78
Maryland	43,419,200	469,232	92
Virginia	102,177,000	1,239,797	82
South Carolina	49,117,000	595,393	82
Georgia	58,830,000	691,392	85
Ohio	84,507,000	1,619,467	55
Tennessee	73,120,000	829,810	88
Louisiana	37,706,000	352,000	106
Alabama	42,376,000	590,756	71
Mississippi	41,773,000	475,761	111
Missouri	22,309,400	383,702	58
Indiana	37,859,000	686,866	69
Illinois	25,254,400	476,182	74
Arizona	10,529,000	87,574	108
Iowa	2,277,000	45,005	52
District of Columbia	\$52,000	43,712	7

It will be seen by the foregoing that only four States produce more than \$100 to each of the population, namely, Vermont, Mississippi, Arkansas, and Louisiana. Of these Vermont takes the lead, and must certainly be considered the most enterprising, industrious, and thrifty agricultural State in the Union. Massachusetts is lowest in the scale, but

that State is engaged extensively in commerce and manufactures.

The States most devoted to planting and farming, or whose products are chiefly agricultural, are mostly the Southern and Western.

#### MARYLAND ELECTION.

The official returns of the election in this State are published in the Baltimore papers, and the figures, which "cannot lie," sufficiently accounted for the defeat of the Whig ticket. Last fall, at the Presidential election, the Whig vote was 33,259—Mr. Johnson's vote for Governor now 24,638, being a decrease of just 8,690. On the other hand, the Loco-Foco vote for Governor now is some 2,000 less than Mr. Van Buren's vote last November. It is obvious then that the defeat which overtook the Whigs in Maryland resulted from no increase of strength on the part of their opponents, but from their own indifference and inactivity. And this is equally true of Georgia and Pennsylvania. In both of these States the Whig vote falls off greatly, while the Loco-Foco vote, not increased, is kept nearly up to last fall's standard. We are thus left to the mortifying conclusion that the disastrous result in these States are chargeable to our own friends. They had the strength, but they lacked the spirit, in which our elections, to be carried, must be contested. It is idle to hope for victory over a vigilant, disciplined and determined opponent, where none of the means by which alone victory is to be secured, are adopted by our friends. We cannot conquer without united harmonious, organized efforts. But with these "essential aids" our cause and our party are, and will continue to be invincible.

It is for the whigs of New-York to say whether they will profit by the experience of their political brethren in other States, and adopt, while there is yet time, those measures which are indispensable to success. That the majority of the People of this State are now, as for years past, opposed to the ruinous "experiments" of Van Burenism and to the destructive encroachments of Loco-Focoism, cannot for a moment be doubted. That proper exertions on the part of leading whigs will induce a general rally of the friends of our cause at the polls in November, is equally certain. Who, then, will counsel or consent to an unconditional surrender of the Empire State to Loco-Focoism, when we have the strength and the arms to win the victory? Who that calls himself a whig will submit to such disgrace, when his own voice and vote may avert it?

BURIED ALIVE.—Almost, not quite.—A scene strange as any founded on fiction occurred in this city on Saturday last. We will give it in the words of the gentleman who furnished us with the fact. His veracity and its truth may be relied on.

It appears that a young Spaniard was lying in the last stage of yellow fever. The physician was sent for, but before his arrival the young man had ceased to live, according to the opinions of those in the house, so that when he arrived he found his patient covered with a white linen, and reported as dead. That very evening they washed and cleaned the young man, and having put on his burial dress, they laid him on his bed until the morning. In the morning a coffin was got, and all the necessary preparations were made. He was then taken and put in his coffin, but no sooner was he dropped in than he jumped up and asked where they were going to place him. They then conducted him in a carriage to a colored nurse woman's house. He is yet very sick, but may perhaps live. It appears that he was in a state of lethargy.—New Orleans Picayune.

THE TEMPERANCE CELEBRATION. The members of the numerous Temperance Societies of the city of New York and vicinity paraded our streets Wednesday with banners, covered with appropriate mottoes and decorations after the manner of the more recent political celebrations, and with the most complete success. The Military and Music were in attendance to give an additional zest to what we may judge from the happy faces of all, needed no additional interest than that produced by a consciousness of doing right. The procession which was a noble one, formed at 8 o'clock, and moved through most of the principal streets to Tompkins square. There were numerous societies with splendid and appropriate banners and mottoes. After the numerous addresses had been delivered by celebrated gentlemen of the Temperance cause among whom we noticed Charles H. Delevan, Esq., Messrs. King, Balden, Snow, Hodges, and others. The procession then passed through the principal streets to the Park and there dismissed.

The number we could not estimate but it must be set down in thousands. The time occupied in passing any one point was more than half an hour, moving at a brisk pace. The streets through which the procession passed were lined with crowds of persons, and the friends of the cause have cause, after this day's work, to rejoice at their good example and their prospects.

Washington, Tuesday, 7 P. M. The Secretary of the Navy entered to-day upon the duties of his office. He is a fine looking gentlemanly man and converses with great affability and frankness.—The Officers of the Army and Navy, headed by Gen. Scott, paid their respects in full uniform to the Secretaries at war and of the Navy.

Some further appointments may be expected in New York which will give great satisfaction. Mr. Spencer is gaining favor here every hour by his reputation for promptness and efficiency. The history of the acceptance of his present post is not yet generally understood, and when known will do him credit. From all I can gather, his course with President Tyler was one of great frankness, and in accepting office he did his principles no violence, his friends no dishonor. The circumstances have come within my knowledge and will shortly be given your readers. On the occasion alluded to, the President discovered a magnanimity of purpose which would have been equal to any necessity if any such had existed. The new administration will do the fair thing. I believe we shall have a plan of a National Currency adequate to every emergency, without the objections attendant upon a Bank. Indeed, would the stock of a Bank be taken

at this time? And how would our country look in seeking indirectly, at least more capital from Europe, when we cannot pay what we owe there now? would it not be deemed a further attempt at a "Bank swindle?" [New York Express.]

#### Legislature of Vermont.

Monday, Oct. 18, 1841.

House.—The Speaker announced the following committees:

On the license Laws—Messrs. Canfield, Sisson, Doty, Henry of Chester, Billings.  
On the bill relating to the election of town officers—Messrs. Sargent, Swift, Tenney.  
The select committee reported rules of the House for the present session, and also joint rules for both Houses, which were adopted.

A communication from the Governor, announcing the appointment of Henry Hale of Chelsea, to be Secretary of Civil and Military Affairs, and that he would communicate the annual message at 11 o'clock this morning, was received and read.

On motion of Mr. Hebard the reference of the bill for the appointment of Senators was reconsidered, clerical error in the bill corrected, and on motion of Mr. Prentiss of Hinesburgh, the bill was referred to a select committee of one from each county.

Resolutions. By Mr. Vilas, to ascertain the amount of the School Fund on the 30th September last, including all interest due; what amount loaned to the state and what to individuals; and whether the loans to individuals are collectable; adopted. By Mr. Chandler of W., instructing the com. on Agriculture to inquire into the expediency of applying a portion of the fund from the public lands for a bounty on the raising of wheat; adopted.

The vote of this morning, rejecting the resolution of Mr. Noyes, relative to an appropriation to academies for the instruction of teachers, was reconsidered and the resolution was adopted.

The Speaker announced the

#### STANDING COMMITTEES OF THE HOUSE.

Of Ways and Means—Messrs. Cleveland, Dewey, Sisson, Henry of Chester, Houghton.

On Military Affairs—Messrs. Smith of Hinesburgh, Cheney, McLoud, Davis of Norwich, Fiske.

Judiciary Committee—Messrs. Fullam, Chandler of Woodstock, Hebard, Vilas, Griswold.

Committee of Claims—Messrs. Cutts, Baylies, Slaughter, Roscoe, Henry of Halifax.

On Education—Messrs. Swift, Sargent, Prentiss of Hinesburgh, Paul of Middletown, Bottom.

On Banks—Messrs. Sissons, Niles, Barton, Noyes, Holley.

On Roads and Canals—Messrs. Porter, Sprague, Beach, Stone of Bakersfield, Aiken.

On Insolvency—Messrs. Tenney, Dustin, Martin of Brattleboro', Hastings, Fairfield.

On Manufactures—Messrs. Colman, Keith, Prentiss of Weathersfield, Newton, Whipple.

On Agriculture—Messrs. Hubbard, Landon, Gilchrist, Skiff, Safford.

Land Tax Committee—Messrs. Rowell, Graves of Sunderland, White of Brownington, Gilchrist.

General Committee—Messrs. Chandler of Peacham, Brownell, Harris of Windham, Wilcox, Prentiss of Weathersfield, Drake, Cobb, Webster of Colchester, Palmer Skeels, Chandler of Derby, Baker, Ames, Hazen.

To make up Grand List—Messrs. Tuttle and Martin; Goodell and Rice of Somerset; Shaw and Sheldon of Fairhaven; Hyde and Paul of Pomfret; Barnes and Robbins; Foster and Tyler; Stanton and White of Shelburne; Wright and Kent; Denison and Hall of Barre; and Francis and Crane of South Hero; Glover and Bowser, Graves of Concord and Merrill; Kinsey of Albany and Reynolds.

Distributing Committee—Messrs. Sheldon of Rupert, Putnam, Bryant, Howard, Brown of Whiting, Howe, Bliss, Davis of Berlin, Magoun, Wheeler, Andrews, Burnham, Rice of Granby, Ladd.

Committee on Bills—Messrs. Jones of Weathersfield and Pierce.

Mr. Hale, Secretary of Civil and Military Affairs, presented the annual Message of the Governor, which was read, and on motion of Mr. Chandler of W. 500 copies were ordered to be printed for the use of the House.

Mr. Vilas introduced a bill for dividing the income of the school fund among the several towns, for the purposes of education; referred to the General committee.

Tuesday, Oct. 19.

SENATE.—Mr. Hatch introduced a resolution instructing the committee on agriculture to make out and report an estimate of the probable expense of a Geological survey of this State; passed.

Mr. Wooster, of the committee on Judiciary, reported a bill providing for closing the polls at the election of the town Representatives on or before 12 o'clock at night of the day of the election. Mr. W. accompanied the report of the bill with remarks designed to show the necessity of passing the bill; which was read the first and second times, and the Senate went into committee of the whole.

Mr. Dillingham addressed the Senate in favor of the bill, expressing his opinion that most of our contested elections grew out of the fact that many of the town elections have been effected at a late hour of the night, and frequently by a small portion of the Freemen.

Mr. Barret expressed his views in union with those of Mr. D. and in favor of the passage of the bill. It was now frequently, he said, very burdensome to freemen of infirm health or advanced years, to remain all night at the polls. The bill was further debated by Messrs. Dana and Eaton of Frazerburg, and on motion of Mr. Dana, reported to the Senate and recommitted to the committee on the Judiciary.

Copy of the resolution, introduced yesterday in the Senate, by Hatch:

Resolved, That the committee on Agriculture be directed to inquire into the expediency of appropriating the sum of three thousand dollars yearly, for the encouragement of agriculture, to be taken from that portion of the proceeds of the sales of the public lands, which this state shall receive by virtue of an act of Congress, entitled "An act to appropriate the proceeds of the sales of public lands, and the pre-emption rights," approved Sept. 1, 1841; the said sum of three thousand dollars to be divided between the several counties of this State, as nearly as practicable according to the population of each: provided there shall be organized within said counties, in a given time, a society for the promotion of agriculture; the money appropriated to be awarded in premiums by said societies, on the best cattle, horses, sheep and swine, on the best products of the dairy, the best wool and the best household manufactures of wool and flax, the best crops of grain, the best farming utensils, and the best cultivated farms, and that the committee report by bill or otherwise.

HOUSE.—Resolutions.—By Mr. Sargent, referring that part of the Governor's message relating to the Georgian affair to a select committee of five; adopted. By Mr. Safford, referring that part of the Governor's message relating to a geological survey, to the select committee on that subject; adopted. By Mr. Davis of N., referring that part of the Governor's message relating to new appointment of members of Congress to the General committee; adopted.

The speaker announced the following committees:

On that part of the Governor's message relating to the Tariff—Messrs. Cutts, Cobb, Smith of Hinesburgh, Simonds, Dustin.

On that part of the Governor's message relating to amendment of the U. S. Constitution—Messrs. Henry of Chester, Griswold, Prentiss of Hinesburgh, Vilas, Fiske.

On the communications on the Georgian affair—Messrs. Sargent, Vilas, Warren of Wardsboro', Webster of Colchester, Porter.

On funds in the hands of agents to settle con-

cerns of Vt. State Bank—Messrs. Ferguson, Cooper, Jones of Richmond.

#### STANDING COMMITTEES.

On the State Prison—Messrs. Sisson, Cleveland, Davis of Norwich, Roscoe, Hubbard.

Of Revision—Messrs. Swift, Pierpont, Cutts.

Mr. Davis of Norwich, introduced a resolution, instructing the select committee on geological survey, to report the probable expense of such survey; adopted.

The Senate came in and a joint assembly was formed for the election of Justices of the Supreme Court. Mr. Sargent moved to adjourn this election to Friday afternoon next. Messrs. Sargent and Canfield advocated the motion on the ground that there was a division of opinion, growing out of sectional and not political preferences, as to the office of Chief Justice; and they claimed, as a right, that the judicial district most interested in the appointment should have an opportunity for consultation. Messrs. Dillingham of the Senate and Vilas of the House opposed the postponement, claiming that the court was the property, not of one party, but of all parties; not of a section, but of the whole State, and insisting that the joint assembly was the only proper place to discuss and decide upon the appointment of the Judges. Ayes 88, noes 126; so the motion to postpone was negatived. Mr. Hebard then nominated Hon. Charles K. Williams for Chief Justice, and Mr. Canfield nominated Hon. Stephen Royce. The ballot was proceeding, in the course of which Mr. Sargent informed the joint assembly of a consultation of the members of the judicial district of Bennington and Rutland, the result of which was a unanimous vote of the members from Bennington county for a change in the Judge of that district, but a majority of the district was against the change. Mr. Canfield protested against proceeding in the ballot until Bennington county should be heard, and subsequently moved to set aside the ballot. The chair ruled the motion out of order, when Mr. Canfield appealed from that decision. Mr. Vilas inquired whether the appeal was debatable? The chair read the 11th rule of the Senate (the rules of which body govern the joint assembly) as follows:

"When a Senator shall be called to order, he shall sit down, and every question of order shall be decided without debate, subject to an appeal to the Senate."

And decided that by this rule debate was precluded.

Mr. Vilas appealed from this decision.

After consultation, the Chair reversed this decision, when Senator Dillingham suggested that the common sense view of the question fully justified the decision of the Chair. Senator Wooster said he had balloted, and let the decision be what it would be, and would not vote again. The decision of the chair, viz: that the motion of Mr. Canfield was not in order, was unanimously affirmed by the joint assembly.

The ballot was then announced as follows, and

CHARLES K. WILLIAMS

was declared duly elected Chief Justice:

Charles K. Williams 197

Stephen Royce 40

Scattering 2

Hon. STEPHEN ROYCE was elected first assistant justice unanimously.

For second assistant justice, Mr. Coolidge nominated Hon. Jacob Collamer, and Mr. Davis of Norwich, nominated Hon. Daniel Kellogg.

Jacob Collamer 209

Daniel Kellogg 35

Scattering 1

So the Hon. JACOB COLLAMER was declared elected.

For third assistant justice, Mr. Dillingham nominated Hon. Isaac F. Redfield, and Mr. Smith of Hinesburgh nominated Hon. Geo. P. Marsh.

Isaac F. Redfield 232

George P. Marsh 1

Scattering 1

And Hon. ISAAC F. REDFIELD, was declared elected.

For fourth assistant justice, Mr. Griswold nominated Hon. Milo L. Bennett, Mr. Adams of South Hero nominated Hon. Geo. P. Marsh, and Mr. Robbins seconded by Mr. Vilas, nominated Chas. Linsley Esq.

Milo L. Bennett 115

Milo Bennett 6

Milo N. Bennett 1

Charles Linsley 97

George P. Marsh 19

Charles Marsh 2

—118

On this ballot being declared, Mr. Griswold moved that the votes for Milo Bennett and Milo N. Bennett be counted for Milo L. Bennett; ayes 99, noes 97. The chair decided that he did not, in his opinion, have the privilege of giving the casting vote, and therefore declared the motion of Mr. Griswold to be decided in the negative.

Thursday, Oct. 21.

SENATE.—The chair announced the appointment of the following committees:

On the abduction of Grogan—Messrs Sowles Eaton of W., Sheldon.

On Virginia Resolutions—Messrs Bartlett, Bottom, Swift.

On Indiana resolutions relative to uniform day to elect President and Vice President throughout the Union—Messrs Russell, Gilson Fletcher.

On memorial of Ferrisburgh Quarterly meeting and petition of Norris Day and others—Messrs Eaton of W., Wooster, Fisk.

Mr. Dana moved a reconsideration of the vote of reference of the question relating to the N. E. Boundary; vote reconsidered, and the paper referred to the committee raised on the correspondence relating to the abduction of Grogan.

Engrossed Bill. Regulating the choice of representatives to the General Assembly, requiring that an election shall be had at a ballot commenced previous to 12 o'clock at night of the first Tuesday of September. Called up by Mr. Wooster, when an able and interesting debate ensued by Messrs Wooster, Dana, Dillingham, and Sabin, in favor, Messrs Sheldon, Clark and Eaton of W. opposed. Mr. Crawford demanded the yeas and nays, and the bill was read a third time and passed, yeas 21, nays 8.

Thursday, Oct. 21.

HOUSE.—Bills introduced By Mr. Davis of N. relating to landlord and tenant, (after notice to quit tenant may be summoned by landlord before justice, and on failure of appearing or of showing good cause, the justice shall issue his writ of restitution—an appeal in such cases may be had to the co. court;) referred to judiciary committee.

Contested seat.

Mr. Noyes called up the resolution of the committee of elections, declaring that Mr. Kingsley of Moretown was not entitled to a seat; and after a few remarks by Messrs Barton and Noyes, the resolution was adopted.

Eng. Bill.—In alteration of chap. 104 of the revised statutes, providing for the election of chaplain of the Vermont State Prison by the Legislature, taken up, when Mr. Clark opposed the passage of the bill.

Mr. Bottom hoped the bill would not be so postponed. The chaplain was a salary of \$600, his duties very important. The prison

ers had right, tho' not the blessings of liberty. If outcasts, they needed moral and religious instruction.

Mr. Dillingham advocated the passage of the bill.

The bill passed, yeas 27, nays 1.

HOUSE.—Resolutions. By Mr. Safford, instructing judiciary committee to inquire into the expediency of so altering the 63d sec. of revised statutes as to prevent imprisonment for debt, except when the plaintiff files an affidavit that the debtor is about to leave the state, or has money or property secreted; adopted.

By Mr. Chandler of W. instructing judiciary committee to inquire into the expediency repealing all laws on the trustee process, except as to concealed or absconding debtors; adopted. By Mr. Houghton, to adjourn without day on the 28th inst.; dismissed.

Petitions referred. Of Jacob Bates and others, to committee on license laws; of Asa B. Foster and others, for a division of Windsor county. Mr. Cutts moved the reference of this petition to a select committee of five members, residing